

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:22-CR-00132-RJC-DCK

USA)
)
v.) ORDER
)
STEPHANIE GRAZIANO HESS (1))
)

THIS MATTER is before the Court upon motion of the defendant pro se for a reduction of sentence based on Amendment 821 to the United States Sentencing Guidelines relating to status points. (Doc. No. 55).

Part A of the Amendment is retroactive and amended USSG §4A1.1 to limit the impact of status points on criminal history category. USSG §1B1.10(d), comment. (n.7). However, a court may not reduce a sentence below the amended guideline range. USSG §1B1.10(b)(2)(A). Here, the Court varied downward at the original sentencing to 72 months' imprisonment. (Doc. No. 51: Judgment at 2). With the elimination of two status criminal history points under §4A1.1(e), the offense level of 27, combined with a revised Criminal History Category III, results in an amended guideline range of 87 to 108 months. (Doc. No. 58: Supplemental Presentence Report at 2). Accordingly, she is not eligible for relief.

IT IS, THEREFORE, ORDERED that the defendant's motion is **DENIED**.

Signed: June 10, 2024



Robert J. Conrad, Jr.
United States District Judge
